Seventh Schedule to the Constitution of India this requires consultation with State Governments and Union Territory Administrations. The Report has been referred to all the State Governments and Union Territories Administrations for their comments/views. No time frame can be fixed in this regard.

Statement

The salient features of the recommendations of the 197th Report of the Law Commission of India, inter alia, are as follows:

(i) Filling posts of Public Prosecutors and Additional Public Prosecutors in Sessions Court under section 24(4) from among members of the Bar who have had experience in conducting Sessions cases is more in the interests of the prosecution system and in the public interest. The law must expressly provide that the Sessions Judge must give weight to experience in conducting Sessions cases and to good character while selecting members of the Bar.

(ii) A combination of appointments from (a) among Assistant Public Prosecutors belonging to the cadre of prosecuting officers, with a long period of service and (b) of direct recruitment on contract basis from the Bar from among those who have conducted Sessions cases, is necessary and will be a fair and efficient prosecution system. The ratio between the two sources to the post of Additional Public Prosecutors must be 50% to 50%.

(iii) The post of Public Prosecutor in the District must always be manned by a member of the Bar who has been empanelled by the District Magistrate in consultation with the Sessions Judge;

(iv) It must be ensured that those Assistant Public Prosecutors empanelled for appointment to the posts of Additional Public Prosecutors are properly screened by way of an interview by a State level Committee consisting of a retired High Court Judge or a sitting High Court Judge, nominated by the Chief Justice of the High Court of the State and Secretary to the State Government, the Law Secretary and the Director of Prosecution.

Custodial deaths

†2576. MS. SUSHILA TIRIYA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of persons died under police custody during the year 2007-08 in Uttar Pradesh, Madhya Pradesh, Rajasthan, Chhattisgarh and Orissa;

(b) the action taken against the guilty police personnels; and

(c) the steps taken by Government to prevent such incidents in future?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SHRIPRAKASH JAISWAL): (a) As per information available with National Human Rights Commission (NHRC), the number of persons died in Uttar Pradesh, Madhya Pradesh, Rajasthan, Chhattisgarh and Orissa under police custody during the year 2007-08, are as under:

† Original notice of the question was received in Hindi

Uttar Pradesh:	32
Madhya Pradesh:	10
Rajasthan:	2
Chhattisgarh:	3
Orissa:	6

(b) and (c) Law and Order is a State subject. The NHRC, however, makes recommendations to the State Governments concerned to take disciplinary action which include prosecution as well as compensation, against the police personnel involved in custodial deaths, wherever their guilt has been established after inquiry by NHRC.

The NHRC has issued guidelines to all State Governments/Union Territories to inform the Commission about incidents of custodial deaths within 24 hours of its occurrence. The Commission recommends disciplinary/departmental action as well as initiation of prosecution against the delinquent police officials in cases where *prima-facie* case of custodial violence is established. The Chairperson and Members of the NHRC during their visits to the States/ Union Territories, always emphasize upon State functionaries the need to curb the occurrence of custodial deaths. Besides, the Commission from time to time, while disposing of cases of custodial deaths, makes appropriate observations to the State authorities to prevent recurrence of such custodial deaths in future.

Criminals and terrorists using internet for carrying out their plans

2577. SHRIMATI SHOBHANA BHARTIA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the criminals and terrorists are using internet for carrying out their plans of terrorism;

(b) if so, the details thereof;

(c) whether majority of the police forces across the country are not equipped with sophisticated computer network resulting in difficulties in chasing the criminals and terrorists; and

(d) if so, the details of the plans formulated by the Government to face such challenges of the criminals and terrorists?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (DR. SHAKEEL AHMAD): (a) and (b) There are reports of criminals committing economic frauds through phishing, e-mail scams, piracy, data theft and launching of denial of service attacks on to targeted organizations, network infrastructures and countries, using internet services.

(c) and (d) 'Police' being a State subject, it is primarily the concern of the State Governments to modernize their forces and to establish cyber police stations for cyber crime investigation. As the same time, the Ministry of Home Affairs is implementing a project called Common Integrated Police Application (CIPA) in all the States in a phased manner, under the Modernisation of State Police Forces (MPF) Scheme. It is envisaged to widen the scope of CIPA project in terms of the applications and by extending it from the police stations to the other higher level formations in the police hierarchy, and provide network connectivity. The